



## **CITY OF HAYWARD**

### **AGENDA REPORT**

AGENDA DATE 04/06/99

AGENDA ITEM 6

WORK SESSION ITEM         

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Authorization for City Engineer to Issue a Grading Permit to C&G Contractors, Inc., for Slide Repair at 25085 and 25087 Vista Greens Court

#### **RECOMMENDATION:**

It is recommended that the City Council conduct a hearing and approve the attached resolution finding the negative declaration adequate and complete, and authorizing the City Engineer to issue grading permit GR-0280 to C&G Contractors, Inc. on behalf of the Vista Greens Homeowner Association.

#### **BACKGROUND:**

The properties at 25805 and 25807 Vista Green Court (lots 64 and 65 of Tract 3492) consist of townhouses constructed in 1973. These properties are maintained by the Vista Greens Homeowners Association. Initially, a landslide occurred approximately 20 feet south of the existing building (see Exhibit A).

According to the report prepared by Terrasearch, Inc., dated September 12, 1998, the landslide appears to have occurred during the heavy rains of 1997 and early 1998. The slide is confined to a narrow zone - approximately 50 feet at the widest area - and extends approximately 90 feet downhill. The maximum depth of failure is on the order of 18 feet from the original ground surface. The mode and limits of the failure are shown on Exhibits B and C.

C&G Contractors is applying for a grading permit to repair the landslide. Grading involves establishing a wide trench, also known as a keyway, at the base of the proposed slide repair. The base of the keyway will be excavated into competent soils and subsurface drains will be installed. Upon completion of the keyway excavation and the subdrain construction, fill placement will begin benching into the hillside. The fill will be constructed at a slope equal to or exceeding 2:1 (horizontal to vertical). After completion of the grading, all exposed surfaces will be planted with deep-rooted, native plants to prevent erosion. City staff has reviewed the proposed grading plan and has determined that it is in conformance with the geotechnical report and proper engineering practices. The proposed grading should protect the subject property from further landslides.

Staff conducted an environmental evaluation, which resulted in a negative declaration (Exhibit D) and recommends its approval. The Grading Ordinance specifies that if the site slope is greater than 20 percent, the grading permit must be approved by the City Council prior to issuance of the permit. The average slope of the site is approximately 43 percent. Notice of this hearing has been given to the owners of all property located within 300 feet of the site, as required by the grading ordinance.

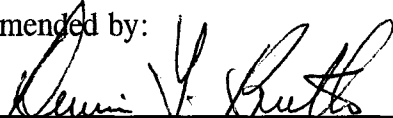
Grading can be completed without causing any nuisance to the general public. The work can be completed in approximately 12 working days. The permit will allow grading only between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, with no weekend or holiday work. Work will not be allowed to begin until after the rainy season (April 15). On February 5, 1999, staff advised the contractor to cover the slide area with plastic sheeting to minimize the potential for further sliding. Immediately following the grading, the slope will be stabilized with vegetation as necessary.

Prior to issuance of the permit, and in order to address potential safety and nuisance concerns, a security deposit will be required insuring that the work will be completed in a timely manner. The security may be in the form of either a certificate of deposit or bank deposit, in the amount of 100 percent of the grading costs.

Prepared by:

  
Robert A. Bauman, Deputy Director of Public Works

Recommended by:

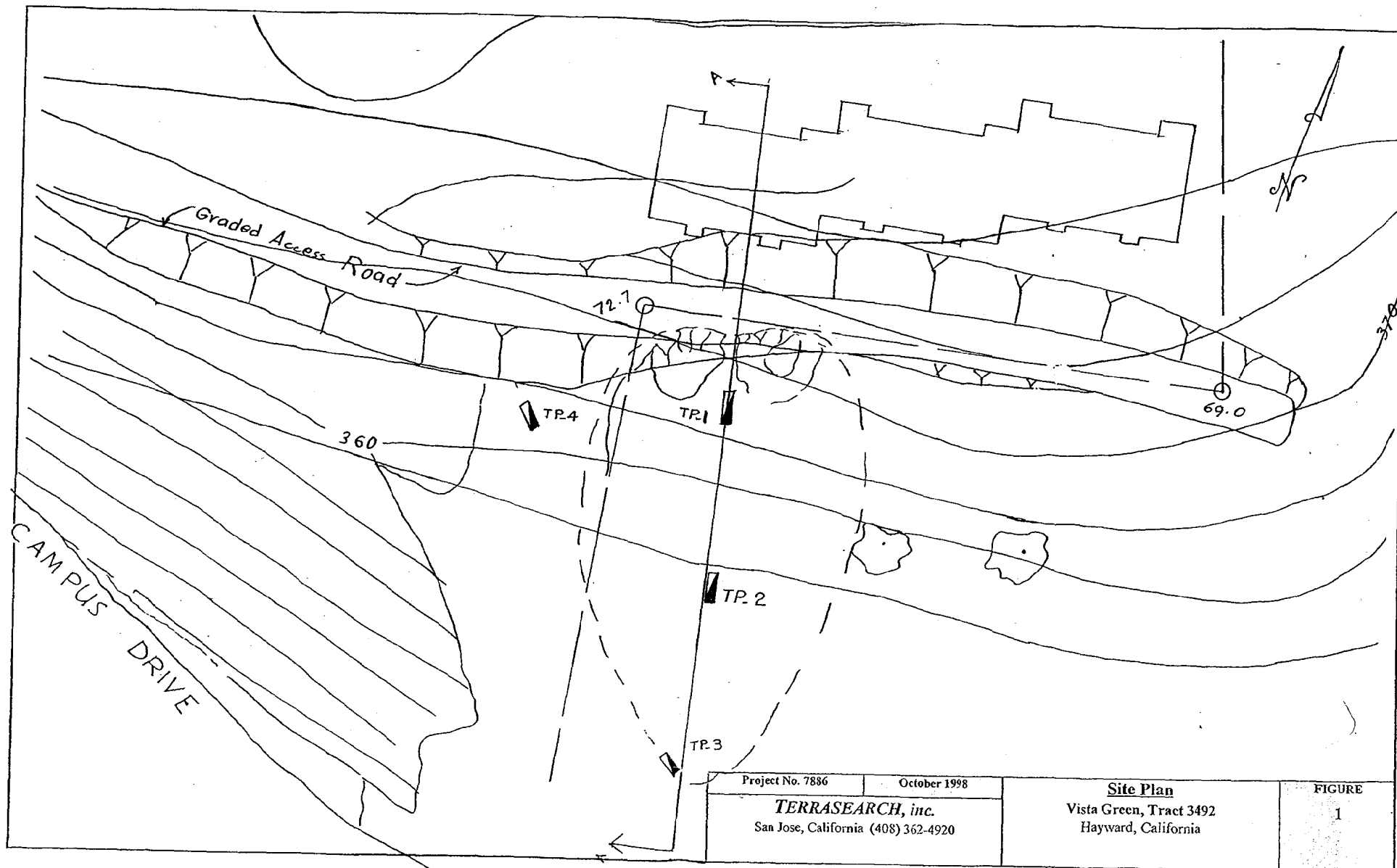
  
Dennis L. Butler, Director of Public Works

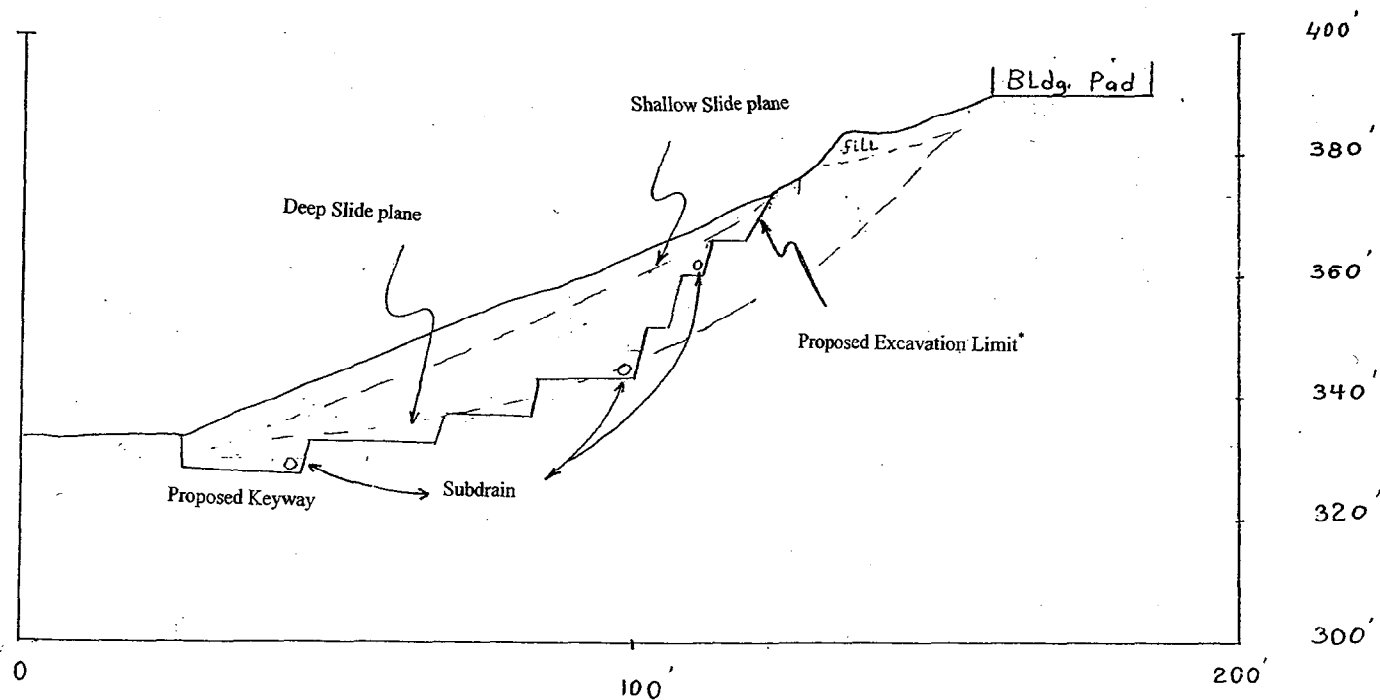
Approved by:

  
Jesús Armas, City Manager

Attachments: Exhibit A: Area Map  
Exhibit B: Site Plan  
Exhibit C: Cross Section  
Exhibit D: Negative Declaration







Scale 1:20

\* The excavation extent will be determined in the field by the Soils Engineer

Project No. 7886	October 1998	<u>Cross-Section A-A</u>	FIGURE
<b>TERRASEARCH, inc.</b> San Jose, California (408) 362-4920		Vista Green, Tract 3492 Hayward, California	2

## NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. *PROJECT DESCRIPTION:*

**Grading Permit GR 0280: C & G Contractors Inc., (Applicant)** - Request to grade lots 64 & 65 to repair existing landslide.

The property is located 25085 and 25087 Vista Greens Court.

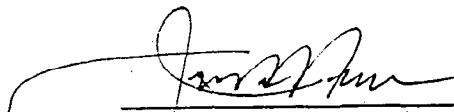
II. *FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:*

The proposed grading of the site as conditioned, will have no substantial effect on the area's resources, cumulative or otherwise.

III. *FINDINGS SUPPORTING DECLARATION:*

1. The grading permit application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA), and an Initial Study Environmental Evaluation Checklist has been prepared with a determination that the project will not have a significant impact on the environment.
2. There is no evidence of historical or archeological resources within the project.
3. The Hayward Fault does not pass near the property, and the property is not located in the "Earthquake Fault Zone."
4. The proposed grading will not create significant impacts related to changes in topography, water quality, or site drainage.
5. Installation of sub-drain pipes will enhance the stability of the slope.
6. Positive dust-control methods approved by the City Engineer, which will be utilized at all times during grading, will preserve air quality.
7. No endangered, threatened or rare species or their habitats were observed during a field investigation on February 5, 1999 by City of Hayward Engineering and Transportation staff.

IV. *PERSON WHO PREPARED INITIAL STUDY:*

  
\_\_\_\_\_  
James B. Lear, Associate Civil Engineer  
3/11/99  
\_\_\_\_\_  
Date

*COPY OF INITIAL STUDY IS ATTACHED*

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For additional information, please contact the City of Hayward, 777 "B" Street, Hayward, California 94541-5007 or telephone the City Clerk at (510) 583-4400.

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Distribution

- Provide copies to all organizations and individuals requesting same in writing.
- Send to project applicants.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or publish once in Daily Review (20 days prior to hearing if no other public notice, otherwise 10 days; reference in all Notices of Decision distributed 20 days prior to effective date of decision).

Posting

This Notice is to be posted for a period of at least 20 days, until Wednesday, March 31, 1999:

1. At the City Clerk's Office, Bulletin Board, Fourth Floor
2. At the Hayward City Hall, Information Center, First Floor
3. In the City Library branches.

## INITIAL STUDY CHECKLIST FORM

Project title Grading Permit GR 0280

Lead agency name and address: City of Hayward, 777 "B" Street, Hayward, CA 94541-5007

Contact persons and phone number: James B. Lear (510)583-4785

Project location: 25085 & 25087 Vista Greens Court Hayward, CA 94541

Project sponsor's name and address:

Jerry Guss, C & G Contractors Inc.

23878 Clawiter Road Hayward, California, 94545

(510) 785-3410

General plan designation Low Density Residential Zoning: Residential District

Description of project: Grading Permit GR 0280: C & G Contractors Inc., (Applicant) – Request to grade lots 64 & 65, Tract 3492, to repair existing landslide.

The site is located at 25085 and 25087 Vista Greens Court

Surrounding land uses and setting:

The property is bounded to the north by Vista Greens Court, to the east by residential housing, and to the south and west by open land.

Other public agencies whose approval is required Not Applicable

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

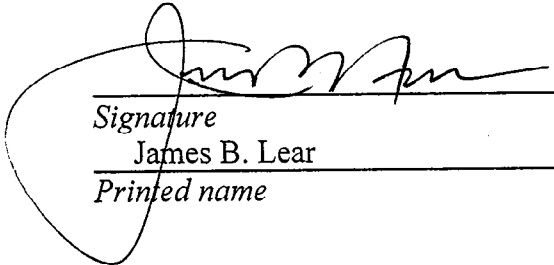
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Land Use and Planning                 | <input type="checkbox"/> Transportation/Circulation   | <input type="checkbox"/> Public Services               |
| <input type="checkbox"/> Population and Housing                | <input type="checkbox"/> Biological Resources         | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems                   | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics                    |
| <input type="checkbox"/> Water                                 | <input type="checkbox"/> Hazards                      | <input type="checkbox"/> Cultural Resources            |
| <input type="checkbox"/> Air Quality                           | <input type="checkbox"/> Noise                        | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Mandatory Findings<br>of Significance |   |  |



**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

  
\_\_\_\_\_  
Signature

James B. Lear

\_\_\_\_\_  
Printed name

3/11/89  
\_\_\_\_\_  
Date

City of Hayward

\_\_\_\_\_  
For

## ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. LAND USE AND PLANNING. Would the proposal:</b>				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The property is designated as residential district. The proposed grading is consistent with this designation.</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project is not in conflict with environmental plans or policies adopted by the City or other government agencies.</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The proposed use is compatible with residential land uses in the vicinity.</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The site is not zoned for agricultural uses.</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project will not disrupt the physical arrangement of existing residential development. The site to be graded is to repair on existing landslide</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				
<b>II. POPULATION AND HOUSING. Would the proposal:</b>				
a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The proposed project is for grading only.</i></p> <p><u>Impact:</u> <i>No impact.</i></p>				

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: *See II a.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *See II a.*

### III. GEOLOGIC PROBLEMS. *Would the proposal result in or expose people to potential impacts involving:*

- |                   |                          |                          |                          |                                     |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The property is outside the Earthquake Fault Zones. The site is located approximately 0.80 miles from the Hayward fault.*

Impact: *No impact.*

- |                            |                          |                          |                          |                                     |
|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *There is already exists the potential for strong ground shaking at the site, due to the proximity of the site to the major active faults capable of generating significant earthquakes. The repair does not affect this impact*

Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Seismic ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *This area is not known to have the potential for seismic ground failure, including liquefaction.*

Impact: *No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Seiche, tsunami, or volcanic hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *Not known in this area.*

Impact: *No impact.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Comment:</u> Grading the site during rainy season poses a greater risk, as it may be disastrous to the property because of the possibility of heavy rains during construction increasing the instability of the slope, and eventually creating a major landslide on the property. No grading will be permitted on this site during the rainy season (October 15 to April 15). Grading will be done in conformance with the recommendations contained in the soils report prepared by Terrasearch Inc. dated September 12, 1998, Project No. 7886. Copy of the soils report is on file in the Engineering and Transportation Library.</p> <p><u>Impact:</u> Less than significant impact</p>				
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The proposed grading is to restore the slope to the original grades.</p> <p><u>Impact:</u> No impact</p>				
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> Area is not known for this condition.</p> <p><u>Impact:</u> No impact.</p>				
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> The test pit log number 1 is characterized with light to medium brown clayey silt and pebbly silty clay; dry, firm to loose at a depth of 0' to 2'. At a depth of 2' to 20', medium red brown pebbly to gravelly silty to sandy clay and clayey gravel (dark gray siltstone and shale in sheared matrix) some planar, polished, slickensided shear was encountered.</p> <p><u>Impact:</u> No impact.</p>				
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> No unique geologic or physical features exist.</p> <p><u>Impact:</u> No impact</p>				

**IV. WATER.** Would the proposal result in:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><u>Comment:</u> <i>The proposed project will install subdrain trenches and perforated pipes at the back of the keyway.</i>  <u>Impact:</u> <i>Less than significant impact.</i></p>				
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>This area is not located in a designated Flood Plain.</i>  <u>Impact:</u> <i>No impact.</i></p>				
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project will not discharge into surface waters or affect surface water quality.</i>  <u>Impact:</u> <i>No impact.</i></p>				
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project will not affect the amount of surface water in any body of water.</i>  <u>Impact:</u> <i>No impact.</i></p>				
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project will not affect water currents, direction or course of water movements.</i>  <u>Impact:</u> <i>No impact.</i></p>				
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of ground water recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Comment:</u> <i>The project will not affect the quality of ground water. There is no ground water at elevation 19 feet, and the construction activity is above the existing water table.</i>  <u>Impact:</u> <i>No impact.</i></p>				

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| g) Altered direction or rate of flow of ground water?  | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The project will not affect the rate of flow of ground water.</i>   |                                      |  |                                    |                                     |
| <u>Impact:</u> <i>No impact</i>  |                                      |  |                                    |                                     |
| h) Impacts to ground water quality?  | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The project will not affect the ground water quality.</i>   |                                      |  |                                    |                                     |
| <u>Impact:</u> <i>No impact.</i>   |                                      |  |                                    |                                     |
| i) Substantial reduction in the amount of ground water otherwise available for public water supplies?                        | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The project will not affect the amount of ground water otherwise available for public water supplies.</i> |                                      |  |                                    |                                     |
| <u>Impact:</u> <i>No impact.</i>   |                                      |  |                                    |                                     |

**V. AIR QUALITY.** *Would the proposal:*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation?                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The project will be required to implement dust control measures during construction.</i>                        |                          |                          |                          |                                     |
| <u>Impact:</u> <i>No impact.</i>   |                          |                          |                          |                                     |
| b) Expose sensitive receptors to pollutants?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The proposed grading will not expose sensitive receptors to pollutants.</i>                                     |                          |                          |                          |                                     |
| <u>Impact:</u> <i>No impact.</i>   |                          |                          |                          |                                     |
| c) Alter air movement, moisture, or temperature, or cause any change in climate?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> <i>The proposed grading will not alter air movement, moisture, or temperature, or cause any change of climate.</i> |                          |                          |                          |                                     |
| <u>Impact:</u> <i>No impact.</i>   |                          |                          |                          |                                     |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: *This proposed grading will not create objectionable odors.*

Impact: *No impact*

**VI. TRANSPORTATION/CIRCULATION.** *Would the proposal result in:*

a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: *The proposed grading will not create a significant impact to the nearby intersection.*

Impact: *No impact.*

b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: *The proposed grading will not create hazards to safety from design features.*

Impact: *No impact.*

c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: *The project does not affect emergency vehicle access.*

Impact: *No impact*

d) Insufficient parking capacity onsite or offsite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: *The project does not require parking.*

Impact: *No impact.*

e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: *The proposed grading will not result in hazards or barriers for pedestrians or bicyclists.*

Impact: *No impact.*

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: *The proposed grading will not conflict with adopted policies supporting alternative transportation*  
Impact: *No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No conflicts exist.*  
Impact: *No impact.*

**VII. BIOLOGICAL RESOURCES.** *Would the proposal result in impacts to*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No wildlife exists on the landslide area.*  
Impact: *No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Locally designated species (e.g., heritage trees)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The site does not contain locally designated species.*  
Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The site does not contain locally designated natural communities.*  
Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No wetland habitat exists on the site.*  
Impact: *No Impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The site is not located within a wildlife dispersal or migration corridor.*  
Impact: *No impact.*

**VIII. ENERGY AND MINERAL RESOURCES.** *Would the proposal:*



- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: *The proposed grading will not conflict with adopted City of Hayward energy conservation plans.*  
Impact: *No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Use nonrenewable resources in a wasteful and inefficient manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The proposed grading will not use nonrenewable resources in a wasteful and inefficient manner.*  
Impact: *No impact.*

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *No known resource would be significantly affected by this proposed grading.*  
Impact: *No impact.*

**IX. HAZARDS.** *Would the proposal involve:*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The proposed project will not involve a risk of accidental exposure or release of hazardous substances.*  
Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The project does not have the potential to interfere with emergency response or evacuation plan.*  
Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) The creation of any health hazard or potential health hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The proposed project will not create a health hazard or a potential health hazard.*  
Impact: *No impact.*

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| d) Exposure of people to existing sources of potential health hazards? | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Comment: *The proposed grading will not expose people to existing sources of potential health hazards.*

Impact: *No impact.*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The proposed grading will not increase fire hazard in areas with flammable brush, grass, or trees*

Impact: *No impact*

#### **X. NOISE.** *Would the proposal result in:*

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: *A temporary increase in noise will occur during the grading of the site. However, hours of grading are regulated by the City of Hayward Noise Ordinance and the impact will be minimal. The completed project will not create noise levels that are above the noise level for the area.*

Impact: *Temporary; the duration of grading operation..*

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: *People will be exposed to an increase in noise levels during the grading of the site, however, the exposure to grading noise is temporary. People will not be exposed to severe noise levels.*

Impact: *Temporary grading noise; not to reach severe noise levels.*

#### **XI. PUBLIC SERVICES.** *Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:*

- |                     |                          |                          |                          |                                     |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: *The proposed grading will not require fire protection.*

Impact: *No impact.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The proposed grading will not require police protection from the Hayward Police Department</i> <u>Impact:</u> <i>No impact.</i>				
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The proposed grading will not generate more school age children than what is already anticipated by the Hayward General Plan.</i> <u>Impact:</u> <i>No impact.</i>				
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>The proposed grading will not affect the maintenance of public facilities.</i> <u>Impact:</u> <i>No impact.</i>				
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>No other services are impacted..</i> <u>Impact:</u> <i>No impact.</i>				

**XII. UTILITIES AND SERVICE SYSTEMS.** *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities?*

a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>No power or natural gas required for the proposed grading.</i> <u>Impact:</u> <i>No impact.</i>				
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>No communication facilities required.</i> <u>Impact:</u> <i>No impact.</i>				
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>Existing Local or regional water treatment or distribution facilities will not be impacted.</i> <u>Impact:</u> <i>No impact.</i>				
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> <i>Sewer or septic tanks will not be impacted.</i> <u>Impact:</u> <i>No impact.</i>				

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| e) Storm water drainage?   | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> Existing facilities are adequate to accommodate the proposed grading.<br><u>Impact:</u> No impact. |                                      |  |                                    |                                     |
| f) Solid waste disposal?   | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed grading will not affect the solid waste disposal<br><u>Impact:</u> No impact.         |                                      |  |                                    |                                     |
| g) Local or regional water supplies?   | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <u>Comment:</u> Local or regional water supplies will not be affected.<br><u>Impact:</u> No impact.                |                                      |  |                                    |                                     |

### XIII. AESTHETICS. Would the proposal?

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed grading is not located near a scenic vista or scenic highway.<br><u>Impact:</u> No impact.   |                          |                          |                          |                                     |
| b) Have a demonstrable negative aesthetic effect?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed grading will not have a demonstrable negative aesthetic effect.<br><u>Impact:</u> No impact. |                          |                          |                          |                                     |
| c) Create light or glare?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed grading will not result in a new source of light or glare.<br><u>Impact:</u> No impact.      |                          |                          |                          |                                     |

### XIV. CULTURAL RESOURCES. Would the proposal:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Comment:</u> The proposed grading is located in an area not known for paleontological resources.<br><u>Impact:</u> No impact. |                          |                          |                          |                                     |

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| b) Disturb archaeological resources?<br><br><u>Comment:</u> <i>The proposed grading is located in an area not known for archaeological resources</i><br><u>Impact:</u> <i>No impact.</i>                            | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Have the potential to cause a physical change which would affect unique cultural values?<br><br><u>Comment:</u> <i>The proposed grading will not affect cultural values.</i><br><u>Impact:</u> <i>No impact.</i> | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area?<br><br><u>Comment:</u> <i>Religious or sacred uses are not known to occur on this site.</i><br><u>Impact:</u> <i>No impact.</i>     | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**XV. RECREATION.** *Would the proposal:*

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities?<br><br><u>Comment:</u> <i>The proposed grading will not increase the demand for neighborhood or regional parks or other recreational facilities.</i><br><u>Impact:</u> <i>No impact.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Affect existing recreational opportunities?<br><br><u>Comment:</u> <i>See XV a</i><br><u>Impact:</u> <i>No impact.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XVI. MANDATORY FINDINGS OF SIGNIFICANCE.**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California History or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, Environmental goals?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Does the project have impacts that individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the Effects of probable future projects)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

## **XVII. EARLIER ANALYSES.**

None.

- a) Earlier analyses used. None.
- b) Impacts adequately addressed. None.
- c) Mitigation measures. Conditions of approval of Grading Permit GR 0280.

**DRAFT**

DM 5-26-99

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION CERTIFYING THAT THE NEGATIVE  
DECLARATION FOR GRADING PERMIT  
APPLICATION NO. GR 0280 HAS BEEN COMPLETED  
IN COMPLIANCE WITH THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT AND  
IMPLEMENTING STATE AND CITY GUIDELINES AND  
AUTHORIZING THE ISSUANCE OF A GRADING  
PERMIT TO C&G CONTRACTORS, INC.

WHEREAS, it is necessary to grade the sites at 25805 and 25807  
Vista Greens Court, Hayward, in order to mitigate problems caused by a landslide which  
occurred during the heavy rains of 1997 and early 1998; and

WHEREAS, the average slope of the land is greater than 20%, thereby  
requiring City Council approval for the issuance of a grading permit pursuant to Hayward  
Municipal Code section 10-8.23(2) before grading may be commenced; and

WHEREAS, C&G Contractors, Inc. has submitted an application for a  
grading permit in compliance with the requirements of the Hayward Municipal Code; and

WHEREAS, the City Council of the City of Hayward hereby finds and  
determines that the City Council has independently reviewed and considered the  
information contained in the initial study upon which the negative declaration is based,  
certifies that the negative declaration has been completed in compliance with the  
requirements of the California Environmental Quality Act, and finds that the negative  
declaration reflects the independent judgment of the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED that Grading Permit Application  
No. GR 0280 is hereby approved and the Council authorizes the issuance of a grading  
permit to C&G Contractors, Inc.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1999

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward